

PUBLIC HEARING  
OF THE  
ARKANSAS BOARD OF APPORTIONMENT

Before  
GOVERNOR MIKE HUCKABEE, CHAIRMAN  
SECRETARY OF STATE SHARON PRIEST  
ATTORNEY GENERAL MARK PRYOR

Held in  
Fayetteville, Arkansas

July 20, 2001

1:05 p.m.



1                   GOVERNOR HUCKABEE: Good afternoon, ladies  
2 and gentlemen, and thank you very much for giving your  
3 time to this meeting of the Board of Reapportionment, and  
4 we want to thank you not only for coming, but also being  
5 willing to participate in this open public hearing. I'd  
6 like to call it to order and just let you know that each  
7 of us who are members of the Board of Apportionment will  
8 be making very brief opening statements. After that,  
9 Butch Reeves, who is chief legal counsel in the Governor's  
10 office and one of the staff persons for the Board of  
11 Apportionment, will come and address something of the  
12 process and procedures.

13               Sound like a winning number there.

14               MR. PRYOR: Sorry. Don't mind me.

15               GOVERNOR HUCKABEE: And then we'll open it up  
16 to the floor for your comments. We would appreciate it  
17 very much if, when you have a comment, if you'll go to the  
18 microphone, in part so that others can hear, but the other  
19 reason is is because the court reporter will be better  
20 able to hear your comments, and that's very important.  
21 Oh, that's right. And please also identify yourself as to  
22 who you are. You don't have to give a credit card number  
23 or anything like that. You can just hand those up to us,  
24 and we'll take care of those later.

25               We want to thank you for willingness to come and



1 take a look at the maps and see what the process is about.  
2 I think most of you are aware that every ten years, after  
3 the census is completed, one of the responsibilities that  
4 the Governor, Attorney General, and the Secretary of State  
5 have in Arkansas is to literally divide the legislative  
6 districts up, so that hopefully we achieve the  
7 court-ordered mandate and standard of one person to one  
8 vote, which means you try to get as equal representation  
9 in each of the 100 House districts and 35 Senate districts  
10 as is possible, and that's the primary goal that we're  
11 going to try to work with.

12 We've had a good relationship working through this  
13 process. Most of the heavy lifting and the details, which  
14 literally involved I would say hundreds, but more likely  
15 thousands of hours of time, has been spent by members  
16 designated from each of our staffs to do what has been a  
17 herculean task, because every time one little boundary is  
18 moved, it affects all the other boundaries. And I know  
19 that sometimes questions may arise, well, how come this  
20 boundary couldn't be here, but there's a rippling effect,  
21 as you can clearly see, with every move of a boundary, and  
22 this is by no means a perfect system, and I'm unhappy to  
23 report that we couldn't find any perfect people to design  
24 it either, even if we could come up with a perfect system.  
25 The results will always be less than perfect, and I'm sure



1    there will be as many opinions as to what should and could  
2    be done as there are people who look at it, but the goal  
3    that we hope to be able to present is one that provides a  
4    sense of balance and fairness, and most importantly  
5    achieving the -- the proper numbers so that we can  
6    withstand court challenge.

7           With that, I'm going to ask each of my comembers of  
8    the board to make opening comments, and then we'll ask  
9    Mr. Reeves to come forward. And Sharon, would you like to  
10   go first?

11                   MS. PRIEST: Sure.

12           Good afternoon. I am pleased to be here to get your  
13   input into this draft plan. I want to -- I want to thank  
14   all of you for coming, because I think this is very  
15   important as to how you are represented for the next not  
16   two years, not four years, but ten years, and I want you  
17   to look at this plan -- these plans as a ten-year plan,  
18   because I think if we're too short-sided that we will hurt  
19   ourselves on down the line.

20           I also want to let you know that the census -- we  
21   had a great census this time, and it changed a lot for us  
22   in terms of the ideal Senate district and the ideal House  
23   district, so it has been a challenge in a lot of ways to  
24   create the districts, but all in all, I think we should be  
25   very proud of what we've done in the census. We have





1 grown almost 14 percent over ten years ago, and a lot of  
2 that growth has occurred up here, and I think you'll see  
3 the results of that in the maps.

4 I also want to say to the staff, all three of our  
5 staffs have worked together on doing this draft plan.  
6 They have done a great job. They have gotten along well.  
7 It has been a good process. And I think that they are to  
8 be commended for that.

9 And most of all, I want you to understand that this  
10 plan as you see it today, it is not carved in stone. The  
11 lines are subject to change. In fact, we all would be  
12 very shocked if there weren't changes made to -- to the  
13 draft plan that you have here today. It is a draft, it  
14 will change, and it should change based on some of the  
15 comments that we hear as we travel around the state.

16 And then lastly, I want you to remember that it is  
17 our goal to try to make as many people happy as possible.  
18 We are elected officials, and so, you know, we are not  
19 setting out to make people angry. We are not setting out  
20 to find out how many people that we can make unhappy. Our  
21 goal is to make as many people possible -- as many people  
22 as possible happy in this process, knowing that it's  
23 practically impossible to make everybody happy, but we  
24 have done our best to respond to the requests that we  
25 have, so we look forward to hearing your comments and



1     being able to work with you.

2             Thank you.

3             MR. PRYOR: Let me just echo those comments.

4     We're here to listen, and you-all are all witnessing  
5     something that's unique in American government, and that  
6     is Arkansas is the only state in the union that has an  
7     Apportionment Board like ours, and it really makes sense,  
8     though, if you think about it, because in a Governor, we  
9     have the chief executive officer; in the Secretary of  
10    State, we have the chief elections officer; in Attorney  
11    General, we have the chief legal officer for the state,  
12    all working together to try to make the process work and  
13    try to make it fair.

14            I'm very proud of our staffs who have all worked  
15    together, and we have gone to the same conferences, we  
16    have the same software. There's not a Democratic plan and  
17    a Republican plan. And it's really gratifying to see  
18    everybody work together behind the scenes like we have.  
19    And we've had so much input, not just from people from  
20    this part of the state, but all over the state, just so  
21    much input from all sectors, and it's really been a great  
22    experience for the three of us and for our staffs. And  
23    the other day, I was at my office, and I guess I'd just  
24    kind of had enough input, if you will, where a lot of  
25    people have been calling and -- with their suggestions,



1 and I just decided I had to play a joke on one of the  
2 State senators, so I probably shouldn't have done this,  
3 but I called him up and I said, "Senator, I hate to tell  
4 you this, I've got some bad news, but we've eliminated  
5 your Senate district." And I said, "You know, what  
6 happened was your neighbor to the east came in and he  
7 said -- he said he wanted part of your district, so we  
8 gave him the -- that part, and then senator -- senator  
9 from the west came in and he said he wanted the other half  
10 of your district, so we gave him that half, and, you know,  
11 now you don't have a district anymore; what do you have to  
12 say about that?" He said, "Well, let me tell you about  
13 those two men, Mark." He said, "One of them, the guy from  
14 the east, he's a shyster, his dad before him was a  
15 shyster; the guy from the west, he never goes to any  
16 meetings, all he's doing is in the State Senate trying to  
17 figure out how to line his own pockets." I thought, man,  
18 this conversation isn't going very well, you know, so I  
19 said, "Senator, look, look, I was just kidding, it's just  
20 a joke." I said, "We've redrawn your district, you're  
21 going to like it, you're going to be happy with it, it's  
22 fine, you're going to be real satisfied." He said,  
23 "Mark," he said, "how could you make me say that about two  
24 of the dearest friends a man could ever have?" But that's  
25 kind of how it works, because these are important



1 decisions, and I think Sharon mentioned a minute ago this  
2 is about our democracy and about equal representation and  
3 one person, one vote, and having a fair and equal system  
4 in our legislative process, so we're just glad to be a  
5 part of it. And I think the Governor mentioned a few  
6 moments ago that one of his staffers will really be kind  
7 of emceeding the comments today and -- Anyway, we just  
8 really appreciate you-all's input.

9 GOVERNOR HUCKABEE: At this time, Butch  
10 Reeves will come.

11 MR. REEVES: We actually began this process  
12 last fall. The staffs went around the state. We actually  
13 came -- I think we came to Fayetteville.

14 MR. HUMPHRIES: Rogers.

15 MR. REEVES: We went to Rogers, that's it.  
16 We went to Rogers, St. Mary's Hospital. We've been all  
17 over the state. We've got input. We got numbers in  
18 March. We've been working at this since the third week of  
19 April. Sometimes people come and talk to us and they say,  
20 "You-all have been at this too long, you're acting too  
21 weird." We have been at it a long time, for several weeks  
22 and days. We've had input from civic clubs, from many of  
23 you personally over the phone, over e-mails, scores and  
24 scores and scores of e-mail, county judges, clerks, you  
25 name it, Chamber of Commerce, mayors, county judges, you





1 name it. We've had lots and lots of input.

2 And the main thing I think we need to remember, the  
3 guidelines that we use to do this are basically just a  
4 few. The United States Constitution, as interpreted by  
5 the courts, have talked about one person, one vote. To  
6 assure that, every House district has 26,000 -- should  
7 have as close to 26,734 as possible. Every Senate  
8 district should have as close to 76,383. Now,  
9 constitutionally, we can have a variance a little bit  
10 above that and a little bit below that, and that's the  
11 process we went through to draw these districts, trying to  
12 get as close to that as possible.

13 The Arkansas Constitution just requires that the  
14 decision the board makes not be arbitrary. That means  
15 what guidelines did they use and that they used  
16 guidelines. The federal courts, the Supreme Court have  
17 given us some guidelines, and they are basically these:  
18 Compactness; contiguity means that the district touches;  
19 preservation of political subdivisions, such as cities and  
20 counties; and then the legal and political considerations  
21 apart from the geographic ones are the preservation of  
22 communities of interest. For instance, the rural part of  
23 a county and the city part of a county. We've heard stuff  
24 like "Don't put us hill people with those flatlanders on  
25 the other side of the river," whatever that means.



1 Those -- That's what communities of interest means.  
2 Preservation of cores of existing districts, which takes  
3 into account incumbents. We strove to do that as best we  
4 could, but when population in counties went below --  
5 Sharon Priest said 13.7 percent. If your county lost  
6 population, like some did, or you didn't gain 13.7, you  
7 still lost. If you gained more than 13.7, your districts  
8 obviously got smaller. So those are the considerations  
9 that we used. And the last one, compliance with Section 2  
10 of the Voting Rights Act. That's always an important  
11 issue that we looked at.

12 And so that's the result of what we got. Now, we  
13 have been on about 20 something plans for the House and  
14 about 20 something plans for the Senate and worked our way  
15 to where we are today. As you can see, these maps right  
16 here are the proposed draft plan. There were some maps on  
17 the table that you could have -- should have picked up  
18 when you came in that had suggested changes from people  
19 here and from other people in your area that they would  
20 like to see change about these plans, the House and the  
21 Senate plans. The one on the screen is the House plan,  
22 actually, that you're looking at right now.

23 So we'd like your comments. We'd like your comments  
24 to be recorded, so if you could go to the microphone and  
25 state your name and say any comment you'd like to say.



1           The numbers for these Senate and House draft plans  
2     didn't get copied for some reason today. They are on our  
3     Web site, the numbers being how many are in District 100,  
4     97, 98, 99, and what percentage they are over and above.  
5     They just didn't get copied, and I apologize for that, but  
6     you can look at our Web site if you want to actually look  
7     at those. The numbers for the suggested changes, we don't  
8     have those, and I don't think those are even on the Web  
9     site either, but if you wanted to call us, we could tell  
10    you what those are.

11           So we'll just start. Who wants to be first? Go  
12    ahead.

13                   MR. PARSONS: Jim Parsons, Bella Vista.

14           As you know, Bella Vista is headed on doubling in  
15    population since 1990, and we are now over 16,000 people.  
16    Most of the people in Bella Vista vote Republican. In  
17    fact, I don't think there's been that many Republicans in  
18    Bella Vista since the time the Union Army came and camped  
19    out for the Battle of Pea Ridge, and so we're really quite  
20    heavily Republican, and I feel like that competition is  
21    the most important thing in redrawing these lines. The  
22    comment has been made that the reason for drawing the  
23    lines is to enhance Democrats' ability to get elected.  
24    Well, that's the way it's been for the last hundred years,  
25    and that's one reason we're still a one-party state, and



1   that's something I hope we want to get away from and have  
2   a two-party system. And so in Bella Vista, to draw the  
3   lines for the House district to where it would all be just  
4   around the village, that definitely is going to make that  
5   a one-party situation, and I don't think that's good. I  
6   think the competition -- and to split that and let some of  
7   that go to the western end of Benton County would be a  
8   better thing. I think it's more equitable and it's a  
9   little more fair, and I think not to bunch demographics  
10  together is a good thing. I think the thing to have a  
11  two-party system is better and make it possible so that  
12  during an election, you don't know before the election  
13  takes place who's going to be elected. I think that's  
14  wrong. I think in America, any time that we can tell  
15  before the election takes place, we know who the winner is  
16  simply by the label in front of their name, that's not  
17  good, because I think that eliminates good candidates, and  
18  I think it's better to spread it out and have a two-party  
19  system, and I think by dividing -- and my recommendation  
20  would be on the House seat there in Bella Vista is to go  
21  ahead and leave it Highway 71 and split that so that  
22  dilute that vote a little bit more and make it more fair  
23  and equitable.

24           Thank you.

25                   MR. REEVES: Thank you. Next. Ma'am.





1 MS. DANIEL: Heather Daniel, Fayetteville.

2 First of all, I want to say that I know it's a very  
3 complicated procedure and I know everyone's worked very  
4 hard on this. I just want to tell you that I am not happy  
5 with the way the legislative districts are drawn up in  
6 Fayetteville. I was in 92 and now I'm down in -- I think  
7 in 88, and I would like to know why this configuration  
8 occurred, and I can't even -- I'm not even sure exactly  
9 where I live because I don't see any streets outlined.  
10 It's pretty hard. I believe that I am now down in  
11 District 88, but if I can have an explanation of why the  
12 rep districts were drawn as they are, I would appreciate  
13 knowing that.

14 Thank you.

15 MR. REEVES: Because of the growth in Benton  
16 and Washington County, each county essentially got another  
17 House seat. Trying to preserve the core of the existing  
18 districts that existed, that's the only explanation I can  
19 give you as to why 88 looks like it does. We could give  
20 you the street names, but we have to zoom really much  
21 closer. I can do that later and show you actually where  
22 you live, but it was based on just population growth and  
23 trying to preserve the core of the districts as they  
24 existed before we added the new ones is really the main  
25 explanation I would think of.



1           Yes, ma'am.

2                   GOVERNOR HUCKABEE: Shirley, if you break it,  
3 you buy it. That's the house rule here.

4                   MS. BORHAUER: I might be buying a  
5 microphone.

6                   GOVERNOR HUCKABEE: By the way, let me  
7 just -- before Shirley speaks, if you have a comment, just  
8 for the sake of time, you might want to go ahead and just  
9 line up behind the mike. That way we'll be ready for the  
10 next comment.

11           Go ahead, Shirley.

12                   MS. BORHAUER: I'm the oldest and the  
13 shortest person in the House, but I'm on my tippy-toes.  
14 Oh, this is better.

15           I'm Shirley Borhauer from Bella Vista, and I believe  
16 that dividing Bella Vista was a bad idea to begin with,  
17 and I was very happy to see the proposed district staying  
18 in one piece. These people are not necessarily all  
19 Republicans or all Democrats, and I don't think that's  
20 what should be influencing us. What would be able to --  
21 with a person to be representing that area should be able  
22 to represent all the folks in one area much better than  
23 some people in the rural, some people in the urban, some  
24 people in the semi-urban. It seems to me that the way you  
25 have planned that district would be much better for the



1 people, no matter what their party is.

2 Thank you.

3 MR. REEVES: Anybody else?

4 MS. SLINKARD: Hi. I'm Mary Slinkard, county  
5 clerk of Benton County.

6 I want to thank you-all for this job that has been  
7 going on for the last few months, and I have been involved  
8 in it just a little bit with -- with -- through  
9 conversations with you-all. I will try to explain some  
10 suggested changes that the county clerk made in regard to  
11 the split in the House district. What we did there was to  
12 move a line that -- that was proposed as a -- as an  
13 imaginary line that was an old township boundary, and we  
14 proposed a slight change to move that a little bit west to  
15 follow a physical boundary, a road or a street, and it  
16 just provides a better way for the voters to understand  
17 that if they live on one side of the street, who their  
18 representative is going to be, or -- or vice versa.

19 One of the other suggested change on the Senate map,  
20 of course, was to use a common physical boundary, which is  
21 I-540 that runs through the county, and to move that  
22 boundary along that physical boundary, too. It is a  
23 common division line, and as -- as fast as Benton County  
24 has grown and as we will continue to grow, it seemed to be  
25 a very viable common boundary for a split there. And that



1 was the reason for those suggested changes.

2 Thank you.

3 MR. REEVES: Thank you.

4 Mr. Bisbee.

5 MR. BISBEE: Thank you, Butch.

6 And I have to say to the panel, as I came through  
7 the door, I was shocked to see the real people here. I  
8 don't think that the real Board of Apportionment and both  
9 of their designees have ever been in a public hearing  
10 all -- and I'm not speaking to you, but your  
11 predecessors -- all at one time, and I commend you for  
12 that. If the rest of the state is getting this kind of  
13 service, then that's tremendous. If we're the only one  
14 getting it, we're proud.

15 First of all, I want to commend you, I think, on the  
16 fairness of what you tried to do. I started meeting with  
17 either you-all or your staff probably four years ago and  
18 talking about what happened ten years ago and what  
19 northwest Arkansas would like to see, and I know that the  
20 Attorney General, I know met with the chambers up here; I  
21 think the Governor or Butch did; Sharon, I know your folks  
22 did.

23 And on the Senate side particularly, the chambers  
24 asked for two or three real simple things. First of all,  
25 they asked for you to treat us fairly number-wise,





1 numerically, which you did. They asked you to split  
2 Benton County so that you had an east side and a west side  
3 and split Washington County so that you had a north and a  
4 south. And I think the question was asked, and I know the  
5 Attorney General asked, "Do you care if we cross the  
6 county line?" And we said, "No, we don't care if you  
7 cross the county line." And that's exactly what you've  
8 done on the Senate districts.

9 The other thing that we asked, and I know Mary Lou  
10 asked you all to do, is as much as possible, use  
11 recognizable boundaries, and I know I-540 is pretty  
12 recognizable. I mean even a senator can recognize that.

13 Now, I will tell you, and for the folks in  
14 Springdale that are here, I currently represent Rogers and  
15 Springdale, and if you looked at the map of the state, of  
16 the 35 Senate districts, I have unquestionably the easiest  
17 Senate district in the state. I can drive down Business  
18 71, takes me 15 minutes to drive all the way through my  
19 district and see virtually everybody that lives in my  
20 district. I really don't represent cities, but I  
21 represent Rogers and Springdale, which are very happy  
22 towns and very -- very easy to represent. I don't have  
23 any rural district. I don't know that I've got a single  
24 gravel road in that district.

25 My district has grown, I think, six-fold



1 geographically, because now I have Rogers and all of  
2 eastern and northern Benton County would be in the  
3 district that -- when I say "my district," it's not my  
4 district, obviously. The district that I represent. And  
5 my district is going to be much more difficult to campaign  
6 in and to really represent, because it's bigger, but it  
7 was the right thing to do and I'm satisfied with that.  
8 You know, Benton County is -- those folks have got their  
9 own representation now, where before their representatives  
10 were also representing people down around Russellville,  
11 and now they've got representation and it's at home, so  
12 that was the right thing to do.

13       Also, the comments on either to split Bella Vista or  
14 to not split Bella Vista, I would point out that in the  
15 Senate seats, Bella Vista is split right down the middle;  
16 and in the House seat, one House seat has got all Bella  
17 Vista. Surely everybody should be satisfied with one of  
18 them, because they're exactly opposite, and I think that's  
19 probably as fair as you can do. Bella Vista has got  
20 basically two senators because they're split, and they've  
21 got one representative because they're not split; and, you  
22 know, like I said, again, you know, even the most  
23 unreasonable person would have to say at least one of  
24 those is right.

25       So, you know, I would commend the job you did, and



1 if there's got to be some little tweaking up to make  
2 numbers work or to make things work, I think the majority  
3 of us feel like that that would be perfectly appropriate,  
4 but as a whole picture by and large, I think northwest  
5 Arkansas or Benton and Washington County in particular got  
6 treated very fairly. The numbers work and the districts  
7 seem to make sense, and I commend you for that.

8 MR. REEVES: Thank you, David.

9 GOVERNOR HUCKABEE: Senator, in light of the  
10 fact that you've said you don't have any gravel roads in  
11 your district, I'm going to call the Highway Department.  
12 We're going to bust up some of your pavement, like  
13 everybody else.

14 MR. BISBEE: The district I'll be running in  
15 has a lot of gravel roads.

16 GOVERNOR HUCKABEE: And now you want to get  
17 that fixed.

18 MR. REEVES: Senator Bisbee, we were in Fort  
19 Smith this morning, and we'll be in Mountain Home after  
20 this, so -- Next Tuesday we go to Pine Bluff, El Dorado,  
21 and Hope; and next Thursday we go to Beebe, Jonesboro,  
22 Forrest City; then Hot Springs; and finally Little Rock.

23 MR. CRANE: We'd like to see you at every one  
24 of those meetings.

25 MR. REEVES: Another comment? Go right



1 ahead.

2 MR. QUINONES: Good afternoon. My name is  
3 Carlos Quinones of Bella Vista. I am also the president  
4 of the chapter of LULAC, League of United Latin American  
5 Citizens of Northwest Arkansas. We just formed a chapter  
6 about five months ago or so. We do have a pretty strong  
7 membership, about 60, 65 full-time members at this time,  
8 so there's been a great deal of interest in our  
9 organization, and I know a lot of other folks who have  
10 been to our meetings and other activities have a very  
11 favorable response to the formation of our organization.

12 Like other folks here, I want to commend the  
13 commission for its work and for coming and taking the time  
14 to meet with its residents; and again, I think like  
15 everyone else here, we're very pleased and I'm very  
16 pleased that there's going to be increased representation  
17 from this part of the state. And obviously, everyone  
18 knows from the census figures a great deal of the  
19 population growth in this area is due to the increase of  
20 the numbers of Americans of Hispanic descent who have  
21 moved to this area. And I think in talking, and I think  
22 everyone else knows this here, there probably is no such  
23 thing as -- or if there are, very few pockets of Hispanic  
24 residents, Hispanic neighborhoods. I think by and large,  
25 with a few exceptions, there -- people are pretty spread





1 out, regardless of race or ethnicity, and that includes  
2 Hispanic Americans, as well. Generally speaking, again,  
3 we're very pleased with the -- with the arrangement as  
4 presently proposed. We certainly realize that probably  
5 our stronger representation of Hispanic Americans could be  
6 in Springdale and the Rogers area.

7 I came in late into this meeting, and I suppose at  
8 this -- I have one question that maybe someone can answer,  
9 and that's the Siloam Springs suggested change. I've been  
10 told 18 percent of the population out in Siloam Springs is  
11 Hispanic American, and I would like a little more  
12 background on that, and maybe someone could address that.  
13 And before somebody addresses that, again, I want to point  
14 out that our organization, LULAC, is nonpartisan, and our  
15 primary goal is increased political participation by  
16 Hispanic Americans living in Arkansas, increased role as  
17 far as voter registration and taking part in the  
18 decision-making process, and certainly with an eye towards  
19 the immediate future of getting persons -- residents of  
20 Hispanic backgrounds to run for some offices, so if  
21 someone could address the Siloam Spring question.

22 MR. REEVES: My understanding of the  
23 suggested change on Siloam Springs was we had actually  
24 split parts of the city, and we were trying to move it off  
25 of the boundaries. The clerk told us that -- Because all



1 we have are the voting precincts that we have. It doesn't  
2 tell us this is inside the city limits or outside. The  
3 suggested change is from the clerk because of the city  
4 limits of Siloam Springs. That's the reason the suggested  
5 changes there.

6 MS. SLINKARD: To a physical boundary.

7 MR. REEVES: Yeah. Mary Lou says we were  
8 trying to move it to a physical boundary as opposed to in  
9 the middle of nowhere. The precinct lines aren't painted  
10 on the ground, so it's very hard to see those. It came  
11 from the clerk as to moving those was my understanding.

12 MR. QUINONES: Thank you very much.

13 MR. REEVES: Uh-huh.

14 Any others? Go ahead.

15 MR. GRAMMET: My name is Paul Grammet (sp),  
16 and I have a question about 92 and 98 and 88. From the  
17 numbers that I saw that were originally released, 92 was  
18 short approximately 10 percent, and I understood that it  
19 was supposed to be a 5 percent guideline in there. In 92,  
20 there's really no place to grow in there because of all  
21 the building that's been going on, and I was wondering if  
22 it might be possible -- if we needed to add more  
23 population in this area.

24 MR. REEVES: 92 is actually zero. That .10  
25 you see is -- it's 0.10 percent. If it was higher, it



1 would have been plus. If it was lower, it would have been  
2 minus. So when you see 0.10, that's directly on the  
3 money, 26,760, so that one's okay. In fact, there were  
4 several up here that were zero something, so it's right on  
5 the money.

6 MR. BURROW: My name is John Burrow. I'm the  
7 chairman of Washington County Election Commission. I want  
8 to join in the more or less universal chorus of praise for  
9 you guys and your staffs. We've had quite a little bit of  
10 interaction as this process has played itself out, and  
11 I've got to hand it to you, the nonpartisan spirit has  
12 been there and the -- and the work product itself, the  
13 ultimate detailed work that we've just had confirmed just  
14 now is amazing, and of course we -- we benefit from having  
15 all this wonderful software and such talented people to do  
16 this job.

17 As all of you know, what you're about to do is  
18 complete this process and then hand it off to the election  
19 commissions in these two -- in our counties to draw the JP  
20 district, and I'm -- I have two things, a request that if  
21 there are further changes to be made, I'd like for you to  
22 carry Marilyn Edwards's and Karen Combs Pritchard's  
23 suggestion forward that precincts be -- precinct  
24 boundaries as they exist right now remain. Please don't  
25 put us in the position of having to create more precincts,



1     because in Washington County, I believe we're up to  
2     something like 135 precincts right now. And we'd like to  
3     at the end of the day, at the end of the year when we  
4     finish our process, to simplify that as much as we  
5     possibly can, because we're having an enormous problem of  
6     chaos with confused voters. There are voters in  
7     Washington County, large numbers of them, have no idea  
8     where they are supposed to go and vote. Our voter  
9     education process next year is going to have to be very,  
10    very extensive and intense.

11           The other thing is is that we won't even begin or be  
12    able to begin our part of the J -- redistricting JP  
13    districts for real, for sure, until you-all are done, so  
14    can you-all give us an ETA for when this whole process  
15    will be completed?

16           MR. REEVES: Our last scheduled public  
17    hearing is in Little Rock on August 2nd. We hope, if the  
18    changes are minor or very few, for sure by Labor Day to  
19    have another meeting of the board where they can vote on  
20    the plan, the two plans, so our target is by Labor Day to  
21    have a plan that's out that's official, and lawsuits can  
22    start, but hopefully by Labor Day.

23           MR. PRYOR: Don't say that.

24           MR. BURROW: Well, I do want to thank you all  
25    very much for all the work you've done and the skill and





1 the spirit in which you've done it.

2 MR. REEVES: Anybody else? Representative  
3 Hendren.

4 MR. HENDREN: I need to put my jacket on,  
5 because I understand this is completely nonpartisan and I  
6 need to cover up that label.

7 My name is Kim Hendren. I'm from up in Benton  
8 County. And I also agree in commending you on the work  
9 that you've done. It's great to be in a county in a part  
10 of the state -- it makes it much easier whenever you're  
11 growing. I suspect there will be other areas to where you  
12 travel that may not be quite as enjoyable, assuming this  
13 continues to go well this afternoon.

14 1970 really was the first time I was experienced,  
15 and I saw Matthews come in here a while ago, and we know  
16 what happened back then, don't we, David?

17 MR. MATTHEWS: We do.

18 MR. HENDREN: 1970 and the years past that,  
19 one senator for all of Benton County and part of Eureka  
20 Springs and part of Tontitown, part of Washington and  
21 Carroll County, and what a change it's been for the past  
22 few years, and we're all better off for that, I think, and  
23 most of you know that.

24 I would just like to make a couple of comments that  
25 really don't go to whether I agree or disagree, because





1   frankly it's acceptable to me. I think northwest Arkansas  
2   has -- has been treated well. A couple of points I'd want  
3   to call to your attention, and I know they've been called  
4   to your attention in the group here, is with regards to  
5   the House of Representatives, currently -- This deals  
6   primarily with Bella Vista again. Currently,  
7   Representative Borhauer and I represent portions of Bella  
8   Vista; and as you can probably realize, Bella Vista --  
9   somebody said a while ago how much it's grown,  
10   significantly over the past decade; and currently, Shirley  
11   and I will both attest to the fact that there is a  
12   substantial impact on a candidate from Bella Vista in two  
13   House districts. And I just would ask the people of this  
14   group and Bella Vista, as well, to look at that map and  
15   see, with 98 as it appears on that map, whether they  
16   continue to have a significant substantial impact in one  
17   or two House districts. Now, frankly, ladies and  
18   gentlemen, I think what we look for in this redistricting,  
19   and I think you all agree with that, is how we serve the  
20   citizens of this state, not any potential candidate, not  
21   any present office holder, not any particular special  
22   interest group, and that includes, I think, all of us; and  
23   I think you've done a good job at that, but I would like  
24   you to take a look at that and seek some input as to what  
25   happens whenever you put Bella Vista into one district;



1 and as I say, as I look at that map and as I count votes,  
2 it looks like to me the impact will be substantial now on  
3 one House district, whereas the last ten years, it's been  
4 substantial on two. All you have to do is look at the  
5 office holders the last ten years. I might add, that  
6 western side over there is the one that David Matthews  
7 used to hold, a Democrat, and after that, his successor  
8 was Brady Steele, a Democrat. Then another fellow came  
9 along and upset that apple cart, but -- So look at that  
10 with regards to the House district.

11 Now, on the other side, on the Senate district.  
12 Currently, if you'll look at that map, the present map as  
13 you-all have proposed, it places all of Bella Vista in the  
14 western side of Benton County, and as -- for those of you  
15 who don't know - most of you do - Bella Vista is, as I  
16 understand it, in the Bentonville and the Gravette school  
17 districts. The half of Bella Vista that I now represent,  
18 the Highlands portion, is and I guess -- well, it doesn't  
19 continue to be now, because in that new House seat, it  
20 goes over to the other side, but currently that -- Bella  
21 Vista, as I understand it, at least the big majority of it  
22 is all in the Bentonville school district. Currently, I  
23 also represent the area in Rogers called Pinnacle, and  
24 currently on your map in the Senate district as is  
25 proposed, that would be part of the western -- of the



1 eastern district, which is District 8, as a part of the  
2 Rogers city limits. Now, the proposed changes that you  
3 see here would change that along the recognized boundary  
4 line of I-540. I'd hasten to add that 540 is going to  
5 change, we hope, within the next two or three years if we  
6 can get a congressman that's worth a flip, but that's  
7 going to change, so we're looking now at -- If you follow  
8 I-540, it's going to be over the Mount Pleasant before  
9 long. But anyway, if you take the eastern part of Bella  
10 Vista in that Senate seat and put it over in the Rogers  
11 part of it and you take Pinnacle and put it over in the  
12 Bentonville side of it, which is not what you-all have  
13 proposed but is a proposed change, that is a significant  
14 change with regards to commonality, with regards of areas  
15 of interest, and just with regards of -- of how you look  
16 at things, so as somebody said, you have it one way in one  
17 place and one way in another, and perhaps there's a good  
18 reason to do that, but I'd just ask you folks, members of  
19 that committee, and the citizens up here to give your  
20 input as to how they feel about those proposed changes.

21 Thank you.

22 MR. REEVES: Anybody else?

23 MS. VONGREMP: I'm Susan VonGrempp, and I'd  
24 like to speak in favor of the proposal -- proposed changes  
25 by the county clerk in Benton County. I had the





1 opportunity this last election to work for the first time  
2 as a poller, and it was quite an eye-opening experience.  
3 I was the one who was to deal with the frustrated voters.  
4 And I want you to know that there were many who came in  
5 who had been to three and four polling places trying to  
6 figure out just where it was they were to vote. So I  
7 think the proposal that Mary Lou has suggested and Mrs.  
8 Priest has said that we are going for physical boundaries.  
9 I think the most well-known ones that we can solicit and  
10 choose makes it easiest for the average voter, not those  
11 of us who have lived in the area for 20-odd years, but  
12 especially the Hispanic population that's moving in, if  
13 they have a definite north-south, east-west, and not one  
14 of these it sort of floats along, it's a lot easier to  
15 say, "This is where I vote and I'm going to be there."  
16 People had taken off work and were unable to vote. I know  
17 it's not just in Arkansas that we have these problems, but  
18 I do support the physical boundaries suggested by Mary  
19 Lou.

20 Thank you.

21 MR. REEVES: Anybody else?

22 MS. PRITCHARD: Hi. I'm Karen Combs  
23 Pritchard. I am the chief deputy in the county --  
24 Washington County clerk's office.

25 And I would just like to thank Larry for working



1 with us on some of our suggested tweaks to the House and  
2 Senate districts in Washington County, and two or three of  
3 the main concerns that we had was the splitting of our  
4 rural districts, and if many of you have been around for  
5 very long, I don't know. Several years ago, our  
6 commissioners decided to combine a bunch of rural  
7 precincts, and the people just went berserk, so a -- the  
8 quorum court passed a resolution to reinstate all of our  
9 rural precincts, and that's one of the reasons that we  
10 asked them to make a change on -- on Johnson. The city of  
11 Johnson on the rural -- on the representatives had been  
12 split, part of it was given to the Siloam district and  
13 part of it was to the Springdale district, and we asked  
14 that they join that back together. And one of the other  
15 changes was in Brush Creek, and it had split those people.  
16 I'm sorry, not Brush Creek, but Springdale Township, so  
17 we're just pleased that they made these changes and hope  
18 that none of our rural precincts get split.

19 MR. REEVES: Thank you.

20 Mr. Brown.

21 MR. BROWN: Good afternoon. Good to see  
22 you-all up here. I'm representing District 34, which now  
23 includes Tontitown and Elm Springs, runs on up the I-540  
24 corridor through Pinnacle, over to Pea Ridge. You know,  
25 as Senator Bisbee and I visited, we looked at the Senate



1 districts, and I concur heartily that the east-west  
2 division of Benton County makes sense, as well as the  
3 north-south in Washington County, and primarily, you know,  
4 kind of a broader view, looking at the population figures,  
5 we predicted and saw that we would get the one new Senate  
6 district and at least three House districts in whatever  
7 proportion, and I think our discussion today, I know is a  
8 microcosm. While we're trying to squeeze more districts  
9 into this area, you know, I know what you went through  
10 looking at other parts of the state trying to make the  
11 districts coherent, follow natural boundaries, voting  
12 lines; and having made input through Butch and others  
13 working for you, appreciate the responsiveness that we  
14 felt there was to those concerns, and I do think this  
15 represents a reasonable plan. You know, my district,  
16 looking at the population growth, has grown more than any  
17 other Senate district in the state, which led me to  
18 conclude before anyone else did that the people in my  
19 district were the most underrepresented in the state,  
20 so -- but I think the plan that you've come up with is a  
21 good one and does give fair representation to the people,  
22 particularly in the Washington/Benton County area where  
23 we've experienced such tremendous population growth.

24 MR. REEVES: Thank you.

25 Anybody else? David.



1                   MR. MATTHEWS: Good afternoon. Governor  
2   Huckabee, General Pryor, Secretary Priest, thank you for  
3   your hard work. Mostly I want to thank you for hiring  
4   good people, because the truth is that Butch Reeves and  
5   Larry Crane and Tim Humphries and, yes, Ron Maxwell have  
6   done a doggone good job, and we appreciate it. I am  
7   curious, though, Secretary Priest, which one of the two  
8   Benton County seats do you think is going to be Democrat?

9                   Actually, and seriously, on behalf of my clients, I  
10   appeared before you when you came to Rogers and told you  
11   that I had been engaged by the five Chambers of Commerce  
12   in northwest Arkansas to observe and assist, and I told  
13   you then that if -- if we were underrepresented, we would  
14   likely see you in court, but I also told you that if -- if  
15   it turned out the way we thought it would and if you  
16   followed the numbers the way we thought that you would,  
17   that we would be here to support you, and including when  
18   that inevitable lawsuit comes, if necessary, to file an  
19   amicus curiae brief. And I'm here to tell you that  
20   yesterday our Chambers of Commerce voted, and we  
21   unanimously support this plan. We appreciate very much  
22   the hard work that has obviously gone into it. We do not  
23   take a position on the -- the minor changes that have been  
24   suggested by the clerks. If in your wisdom you think  
25   those need to be done, that's satisfactory with us. We,





1 of course, reserve the right to object if at the later  
2 hearings that you go to they say they want to tweak it by  
3 taking two Senate districts from northwest Arkansas and  
4 moving them to the delta, we'd probably oppose that, but  
5 in general, we really do appreciate the hard work. Maybe  
6 the hardest thing that you-all are ever asked to do in  
7 terms of political consequences is this very process, and  
8 I think, despite the recent furor, you've done very well,  
9 and up here we support it, and we look forward to sending  
10 three senators and a whole bunch of representatives down  
11 to represent northwest Arkansas whether they're Republican  
12 or whether they're Democrat.

13 Thank you very much.

14 MR. REEVES: Thank you.

15 Anybody else? Jim.

16 MR. VONGREMP: I'm Jim VonGrempp from Rogers  
17 slash Bentonville. I still say I'm from Bentonville. I  
18 lived there 20-some years, but I moved about a half mile  
19 out of town, I guess.

20 I wanted to thank you all for the work you've done.  
21 I do think, again, that you've -- Butch, all of you and  
22 all the staff, as well as the three that are in charge,  
23 have done a good job overall in these changes. I do agree  
24 with the changes that Mary Lou, the Benton County clerk,  
25 is recommending. I still remember, Mark, whenever I ran



1 for the House in the fall of '92, and one of my great funs  
2 was talking to Mary Lou about the -- kind of the  
3 northeastern part of my district, because I could never  
4 find it, and I would go back to her and -- and it was  
5 somewhere through a farm. I mean it was off roads. And  
6 my point being is I could never get to those voters, and  
7 so I wonder if those voters ever got to the polls. And so  
8 where possible, where we could use good visible  
9 boundaries, I really do think it will help people vote;  
10 and in the end, I think that's what we're all trying to  
11 work towards is to allow everybody the ability to vote.

12 Thank you very much.

13 GOVERNOR HUCKABEE: Thank you.

14 MR. REEVES: Anybody else?

15 Thank you-all. I'll turn it back over to the board.

16 GOVERNOR HUCKABEE: Okay. If there are no  
17 other public comments, then I'm going to ask each of my  
18 two colleagues here on the board to offer some closing  
19 comments before we close the meeting, and I'll again ask  
20 Secretary of State Sharon Priest to begin.

21 MS. PRIEST: Thank you.

22 Once again, we appreciate your input. We just hope  
23 that the rest of the hearings are a love fest like this  
24 is. Thank you.

25 MR. PRYOR: Well, I want to thank all of



1   you-all for coming and, you know, we are so fortunate in  
2   that we have been able to work out a lot of things before  
3   we got here today, and David Matthews mentioned a few  
4   moments ago that he came to us very early, and Dave  
5   Bisbee, I sat down, gosh, with the Chamber of Commerce  
6   over in your neck of the woods probably a year and a half  
7   ago or maybe two years ago, I don't know, but one of the  
8   great things about northwest Arkansas, one of the reasons  
9   it's growing is because the leadership here, and one thing  
10   I'm so appreciative for is that you-all by and large sat  
11   down and worked out a lot of local issues together and you  
12   made it a lot easier for us; and David, we appreciate you  
13   and everybody else that really worked to get us here and  
14   help get us here today.

15           And the last thing I'd like to say in closing is  
16   we've had a request or two to see more detail on the map,  
17   and this computer software we have, it's all hooked into  
18   this big -- I think Frank Wills might have called it  
19   Jumbotron, whatever this thing is back here, the screen.  
20   We can actually get down to that detail. We'd love to  
21   take some time and show -- whoever wants to see more  
22   detail, we'd love to show you more detail, so I know that  
23   most folks will probably want to head on back to the  
24   office or whatever they need to do, but we will hang  
25   around and our staff members -- I don't know if you met



1 Tim Humphries over on the wall by the door and Larry Crane  
2 right here on the other side of the podium, but you can  
3 grab any one of the staff members or any one of us and we  
4 can talk further, but the staff can actually run the  
5 software. I'm not saying we can't, but I can't. But  
6 anyway, the staff can run the software and really --  
7 really give you as much detail as you want, so we'll be  
8 around for a few minutes after we conclude.

9 GOVERNOR HUCKABEE: Again we want to thank  
10 you all for coming this afternoon. I know that it's the  
11 middle of the day. Some of you have had to slip away from  
12 work or make special arrangements to be here. I  
13 especially want to appreciate the spirit of the meeting  
14 today. Everyone has been very helpful in their comments.  
15 Please note the court reporter has been able to gather all  
16 of those comments, and we will be publishing a list of the  
17 complimentary ones, and you can tell us how wonderful and  
18 wise we were. All three of us love to hear those  
19 comments, and we'll have a wide distribution of those, I'm  
20 sure.

21 Thank you very much. Have a great afternoon.  
22 (Wherein, the hearing was adjourned.)

23

24

25





## 1 C E R T I F I C A T E

2 STATE OF ARKANSAS )  
3 )  
COUNTY OF BENTON )

4 I, SHEILA B. ALEXANDER, Certified Court  
5 Reporter, a notary public in and for the aforesaid county  
6 and state, do hereby certify that the foregoing  
7 proceedings were taken by me in Stenotype and were  
8 thereafter reduced to typewritten form by me or under my  
9 direction and supervision; that the foregoing transcript  
10 is a true and accurate record of the proceedings to the  
11 best of my understanding and ability.

12 IN WITNESS WHEREOF, I have hereunto set my hand  
13 and affixed my seal of office this 24th day of July, 2001.

14

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SHEILA B. ALEXANDER, CCR, RMR, LS #586  
NOTARY PUBLIC  
In and for the County of Benton  
State of Arkansas

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My Commission Expires  
December 9, 2008

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